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09/786,998

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-270)

In re Application of:)
Pacciarini et al.)
Serial No.: 09/786,998)
I.A. Filing Date: August 27, 1999)
For: Use of Methoxymorpholino)
Doxorubicin for the Treatment)
of a Liver Tumor)

Group Art Unit:

TRANSMITTAL LETTER

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Response to Notification of Missing Requirements
 - b. Executed copy of Oath or Declaration
 - c. Copy of the Notification of Missing Requirements
 - d. Return Receipt Postcard
2. With respect to additional fees:
 - a. A check in the amount of \$130.00 is enclosed.
3. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 herein-above, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on this **11th day of June, 2001.**

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130.00 0P By:

Stephen H. Docter
Stephen H. Docter
Reg. No. 44,659



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-270)

In re Application of:)
Pacciariini et al.)
Serial No.: 09/786,998)
I.A. Filing Date: August 27, 1999)
For: Use of Methoxymorpholino)
Doxorubicin for the Treatment)
of a Liver Tumor)

Group Art Unit:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
MAILED APRIL 12, 2001

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notification of Missing Requirements mailed April 12, 2001, applicants submit herewith an original signed Declaration and Power of Attorney for the application and a copy of the Notification of Missing Requirements. A check in the amount of \$130.00, in payment of the surcharge, accompanies this response. Please charge any deficiency or credit any overpayment to deposit account 13-2490.

McDonnell Boehnen Hulbert & Berghoff

Date: June 11, 2001

By:

Stephen H. Docter
Stephen H. Docter
Reg. No. 44,659



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09/786998

FIRST NAMED APPLICANT

PACCiarini

ATTY. DOCKET NO.

M

01-270

INTERNATIONAL APPLICATION NO.

PCT/EP99/06298

I.A. FILING DATE

PRIORITY DATE

27 AUG 99

14 SEP 98

DATE MAILED:

12 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IAB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the international application. Translation of the international application into English.
 Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.

DUE DATE:

BY:

APR 16 2001

K. B.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN 12 MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917
 PTO-875

Notice of Defective Translation
 PCT/DO/EO/920

Winston M Alvarado

Telephone: 703-305-6421